



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Takashi FUJITA et al.

Title: HEAT EXCHANGER

Appl. No.: 10/722,133

Filing Date: 11/26/2003

Examiner: Unassigned

Art Unit: 3753

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 CFR §1.56**

Mail Stop PATENT APPLICATION  
Commissioner for Patents  
PO Box 1450  
Alexandria, Virginia 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56. A copy of each listed document, except as noted below, is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The USPTO has waived the requirement under 37 CFR 1.98(a)(2)(i) to submit copies of U.S. patents and U.S. patent application publications when citing and submitting an Information Disclosure Statements in a patent application filed after June 30, 2003 and in an international application that has entered the national stage under 37 USC §371 after June 30, 2003. Accordingly, copies of these types of documents are not being supplied in connection with this application. Reference is being made to Pre-OG Notice from Office of Patent Legal Administration dated July 25, 2003, *Information Disclosure Statements May Be Filed Without Copies of U.S. Patents and Published Applications in Patent Applications filed after June 30, 2003.*

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

### **TIMING OF THE DISCLOSURE**

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

### **RELEVANCE OF EACH DOCUMENT**

The relevance of foreign-language document A4 is described in the present specification. Documents A2 and A4 claim priority based on the same first-filed application.

Documents A1-A3, A5 and A6 came to Applicants' attention during a search of the corresponding European application. A copy of the European Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

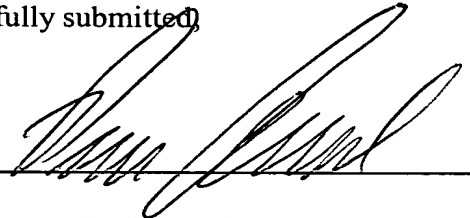
An English translation of the foreign-language document is not readily available. However, the absence of such translation does not relieve the PTO from its duty to consider the submitted foreign language document (37 CFR §1.98 and MPEP §609).

Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 CFR §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741.

Respectfully submitted,

By




Pavan K. Agarwal  
Attorney for Applicant  
Registration No. 40,888

Date April 28, 2004

FOLEY & LARDNER LLP  
Customer Number: 22428  
Telephone: (202) 945-6162  
Facsimile: (202) 672-5399

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|---|--|----------------|--|--------------------------|--|---|
| Substitute for form 1449B/PTO<br><b>INFORMATION DISCLOSURE<br/>STATEMENT BY APPLICANT</b><br><br>Date Submitted: April 28, 2004<br><i>(use as many sheets as necessary)</i> |  |                |  | <b>Complete if Known</b> |  |  |
| Application Number  |  | 10/722,133     |  |                          |  |   |
| Filing Date   |  | 11/26/2003     |  |                          |  |   |
| First Named Inventor  |  | Takashi FUJITA |  |                          |  |   |
| Group Art Unit  |  | 3753           |  |                          |  |   |
| Examiner Name   |  | Unassigned     |  |                          |  |   |
| Attorney Docket Number  |  | 062709-0119    |  |                          |  |   |

| U.S. PATENT DOCUMENTS |                          |                      |   |  |  |  |
|-----------------------|--------------------------|----------------------|---|--|--|--|
| Examiner<br>Initials* | Cite<br>No. <sup>1</sup> | U.S. Patent Document |   | Name of Patentee or Applicant of<br>Cited Document | Date of Publication of<br>Cited Document<br>MM-DD-YYYY | Pages, Columns, Lines,<br>Where Relevant<br>Passages or Relevant<br>Figures Appear |
|                       |                          | Number               | Kind<br>Code <sup>2</sup> (if<br>known) |  |  |  |
|                       | A1                       | 5,664,432            |   | O'BRIEN  | 09-09-1997   |  |
|                       | A2                       | 6,155,340            |   | FOLKEDAL ET AL.                                    | 12-05-2000   |  |
|                       | A3                       | 6,216,776            | B1                                      | KOBAYASHI ET AL.                                   | 04-17-2001   |  |
|                       |                          |                      |   |  |  |  |
|                       |                          |                      |   |  |  |  |
|                       |                          |                      |   |  |  |  |

| FOREIGN PATENT DOCUMENTS |                          |                         |                     |                                      |   |  |   |                |
|--------------------------|--------------------------|-------------------------|---------------------|--------------------------------------|---|--|---|----------------|
| Examiner<br>Initials*    | Cite<br>No. <sup>1</sup> | Foreign Patent Document |                     |                                      | Name of Patentee or<br>Applicant of Cited Documents | Date of Publication of<br>Cited Document<br>MM-DD-YYYY | Pages, Columns,<br>Lines, Where<br>Relevant<br>Passages or Relevant<br>Figures Appear | T <sup>6</sup> |
|                          |                          | Office <sup>3</sup>     | Number <sup>4</sup> | Kind Code <sup>5</sup><br>(if known) |   |  |   |                |
|                          | A4                       | JP                      | 2001-525051         | A                                    | NORSK HYDRO<br>TECHNOLOGY ET AL.                    | 12-04-2001   |   | Abst.          |
|                          | A5                       | EP                      | 1 150 088           | A2                                   | MODINE<br>MANUFACTURING<br>COMPANY                  | 10-31-2001   |   | Abst.          |
|                          | A6                       | EP                      | 0 747 650           | A1                                   | SANDEN CORPORATION                                  | 12-11-1996   |   |                |
|                          |                          |                         |                     |                                      |   |  |   |                |
|                          |                          |                         |                     |                                      |   |  |   |                |

| NON PATENT LITERATURE DOCUMENTS |                          |  |                |
|---------------------------------|--------------------------|--|----------------|
| Examiner<br>Initials*           | Cite<br>No. <sup>1</sup> | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the<br>item (book, magazine, journal, serial, symposium, catalog, etc.) date, page(s), volume-issue number(s),<br>publisher, city and/or country where published. | T <sup>6</sup> |
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|-----------------------|--------------------|
| Examiner<br>Signature | Date<br>Considered |
|-----------------------|--------------------|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document.

<sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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